

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SHARIFF KINTE MILLER,

Plaintiff,

v.

KNUTSON, et al.

Defendants.

ORDER

Case No. 20-cv-1057-bbc

SHARIFF KINTE MILLER,

Plaintiff,

v.

SEE ATTACHED DOCUMENTS OF ATTEMPTS,

Defendants.

ORDER

Case No. 20-cv-1096-bbc

On December 14, 2020, I entered orders assessing plaintiff Shariff Kinte Miller initial partial payments of \$179.40 for filing the above cases, which are due January 4, 2021. Now plaintiff filed a submission titled Affidavit of Truth and a letter stating that he cannot pay the initial partial filing fees, which I will construe as a motion to waive the initial partial filing fee.

In 28 U.S.C. § 1915, Congress specified how prisoners must pay the fees for filing federal lawsuits and appeals, and I have no discretion to modify this method. In calculating the amount of plaintiff's initial partial payment in this case, I used the trust fund account statement plaintiff submitted on December 10, 2020 in support of his for leave to proceed without prepaying the fee. The trust fund account statement shows that plaintiff has had deposits made to his account, which I was able to calculate plaintiff's average monthly deposits to be \$179.40. Therefore, I will deny without prejudice plaintiff's motion to waive the initial partial filing fees.

However, I will give plaintiff an extension of time until January 25, 2021, to submit the \$179.40 initial partial payments. If by January 25, plaintiff is still unable to pay the \$179.40

initial partial payments, plaintiff should submit an updated trust fund account statement or other documentation that shows how his financial situation has changed.

ORDER

IT IS ORDERED that:

1. Plaintiff Shariff Miller's motion to waive the initial partial payments in the above cases is DENIED without prejudice.
2. Plaintiff may have an enlargement of time to January 25, 2021, in which to submit a check or money order payable to the clerk of court in the amount of \$179.40 for each case (total \$358.80) or to submit an updated trust fund account statement.
3. If, by January 25, 2021, plaintiff fails to make the \$179.40 initial partial payments, or to show cause for his failure to do so, plaintiff will be held to have withdrawn the actions voluntarily and the cases will be closed without prejudice to plaintiff's filing the cases at a later date.

Entered this 30th day of December, 2020.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge